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OHSA 18001:2007
ISO 14001:2004
ISO 9001:2008

May 18, 2012

To: Ohio Environmental Protection Agency
Re: Incident at Heritage – WTI, Inc. on December 17, 2011

During the recent months, we have investigated the incident of December 17, 2011, in order to thoroughly understand what happened and to prevent it from happening again at our facilities and other hazardous waste management facilities. Heritage – WTI, Inc (HWTI) has prepared the following summary from our internal investigation:

Summary of Incident and Waste Stream History

On Dec. 17, 2011, two employees were transferring the contents of a drum of waste into other, smaller containers to prepare the waste to be fed into the incinerator. During this repackaging procedure, the waste reacted violently. Both employees received severe burns. One employee was fatally injured. The other has been released from the hospital and is still recovering. Immediate suspension of this incineration preparation process went into effect until the investigation is completed. OSHA performed an on-site investigation.

The waste material involved in the violent reaction was shipped under a wastestream approval originally set up in 1999. The wastestream has always been received through an environmental broker. More than 1,000 containers of the approved wastestream have been processed without incident. The waste originally shipped as D001 for flammability. In 2007, the D001 was removed per request of the generator. There had been no indication of wastestream changes from annual wastestream recertifications or other means since 2007.

Post-Incident Discoveries

Several facts came to light during our investigation with the broker and generator:

- The waste was not generated at the manifested generator's facility, but at the facility of a sister company in another state. This was the first and only shipment to HWTI under this profile that was not actually generated at the manifested generator's facility.
- The manifested generator's original intent was to recycle the material, but later decided against it.
- The original drums were not DOT-shippable, so they were overpacked into 85 gallon drums.
- The particle size of the waste was smaller than normal.

- The constituent range was significantly different from the wastestream information on file at HWTI.
- The drum that reacted on December 17 remained intact and had a "Spontaneously Combustible" label on it even though the outer overpack was labeled as "Flammable Solid."

Root Cause

Failure of generator, shipper and/or broker to fully understand and/or disclose the physical hazards and chemical composition of the waste stream.

- The wastestream shipped did not conform to the HWTI waste profile.
- The wastestream was identified as a non-hazardous waste, but was indeed hazardous for ignitability and reactivity.
- RCRA codes should have been D001 (flammability) and D003 (reactivity).
- Chemical composition variances of up to 50 percent from the approval the waste was shipped under.
- DOT shipping description was not correct and marking/labeling was inconsistent between inner and outer packaging.
- Material did not conform to our specified packaging guidelines (drum weight exceedence).

Contributory Causes

- Failure of generator to disclose that the December shipment was of a different nature and from a different generating location than previous shipments.
- Generator and shipper of waste classified and shipped waste in a manner that mischaracterized and/or masked the actual hazards.

Corrective/Preventive Measures

- HWTI has identified various corrective/preventive measures to address this specific incident and to prevent future incidents. These corrective/preventive measures cover various processes, beginning with the waste approval process to waste preparation processes. The primary objective of these corrective/preventive measures ensure HWTI has full disclosure of the known hazards of the waste stream and generating process from the waste generators so HWTI can make a determination as to whether the material can be handled safely at the facility prior to the waste arriving at the HWTI facility. Therefore, HWTI is in the process of implementing or has implemented significant changes to the waste approval process. HWTI has also completed a Process Hazard Analysis (PHA) of the waste preparation process. Again, HWTI is in the process of implementing or has implemented various changes to the waste preparation process as a result of the PHA. HWTI is in various stages of implementing corrective/preventive measures in an effort to prevent future incidents.

If you have any questions or wish to discuss this in greater detail, please feel free to call me at 330-386-2196.

Sincerely,



Carrie L. Beringer
Environmental, Health, & Safety Manager